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# Speeches, Democratic Conference

Mike Mansfield 1903-2001

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REMARKS OF SENATOR MIKE MANSFIELD (D., MONTANA)

AT THE

DEMOCRATIC CONFERENCE

Monday, May 21, 1973, Room S-228, U. S. Capitol, 2:30 P. M.

This Conference meets today at a critical time. A cloud hangs over the nation. It is Watergate and larger than Watergate. To be sure, the common crime with such uncommon implications that transpired on the night of June 17, 1972 has shaken the nation. Yet Watergate does not reveal the full dimensions of the nation's plight. We confront, too, an unabated rate of inflation of 6.6 percent, even as profits have risen an extraordinary 11 percent. We confront a worldwide retreat from our currency which has run the price of gold up to \$128 an ounce. We confront a severe drop in values on the stock market. We confront an incipient fuel shortage. Taken together, these are flashes of warning indicating an economy seriously out of kilter. The political disaster of Watergate has coupled with a shaken economy to create a dual crisis-- a crisis of conscience and a crisis of confidence. Devastating things have happened to the central institutions of this nation. The trust of the people in government is deeply disturbed and furious storms are gathering.

Yet, storms have surged before and the nation has lived through them. Always, we have found in the sources of duly constituted authority, a place of firmness in the face of storms. Always, there has emerged a sure grip with which to maintain our hold on political stability. The continuity of free government in the United States is unbroken for two centuries.

Where in this present crisis are the people turning for assurance as to the present and future? It seems to me that the people are tending to look to the Congress. It is as though the anxieties of the nation have sought relief on Capitol Hill. In effect, we are in the midst of a shifting balance of trust in government. Let us not, either House or Senate, delude ourselves as to the significance of this shift. Let us not pat ourselves on the back. In the circumstances, the trust which is being reposed in us is, in large part, a turning away from the Executive Branch rather than a repairing to the Congress. Still, the growing trust in this institution, in my judgment, has a positive side. It is not without some reason.

It is in this connection that I would like to review the work of the Democratic Majority and its Policy Committee during these opening months of the 93d Congress. Let me begin by a reference to the special Senate committee on the Watergate affair. It was the Senate Majority Conference, responding to the Leadership statement of January 3d, which took the initiative in this matter. This Conference pressed Senator Ervin to establish the Committee and to head the inquiry. The wisdom of the initiative is now already apparent.

In the first public segment of the inquiry during this past week, the nation has witnessed the exercising of the Senate's investigatory function at its very best. Under the exceptional legal and parliamentary leadership of Senator Ervin, the Democratic members of the Committee have worked in complete harmony with the Minority members led by Senator Baker. These hearings have begun in a manner which reflects the highest credit on the Senate. They act to strengthen the confidence of the people in the Congress. If there is a keynote to the Ervin inquiry, it is one of scrupulous fairness, impartiality and non-partisanship. The Committee will be some time in dealing with the facts and implications of Watergate.

Beyond Watergate, there are other questions growing out of the 1972 election campaign, the bogus letters, for example, which affected Senators Muskie, Humphrey and Jackson in the Florida primary, which must and will be examined in full. That there was an indictment in Florida in this connection in no way lessens the need for the Ervin Committee inquiry. In the same way, the naming of a special prosecutor by the Attorney General designate in no way alters the mission of the Ervin Committee with regard to Watergate. In so saying, I do not intend any reflection whatsoever <sup>on</sup> ~~Mr. Cox~~ Mr. Cox whom I know and esteem. The fact is that regardless of the mission of the special prosecutor, the Committee has a prior legislative function. On behalf of the Senate and the nation, the Committee should and, I am confident, will pursue all aspects of this matter of insidious campaign practices until the shadows in the 1972 election campaign are fully explored. Only in that way will they be lifted. Only then will we know how we may strengthen a free and open electoral process as the fundamental element of our political system.

In addition to establishing the Watergate inquiry, this Majority Conference and its Policy Committee delineated a number of other goals at the beginning of the session. By endorsement of the Leadership statement on January 3, the Conference recommended, in effect, a Majority program for the Senate. I can report to you that the record which has been made pursuant to that program is very satisfactory at this point.

We began this Congress facing two far-reaching issues--the termination of the war in Viet Nam and the budget issue which involves, essentially, the questions of spending priorities, ceilings, and impoundments. Inherent in both of these issues--Viet Nam and the budget--are basic Constitutional questions having to do with the role of the Legislative Branch as a co-equal of the Presidency.

The Senate Majority Conference elected to stand, on January 3rd, on the grounds that the results of the November election meant that the people of the nation chose to be governed not by one party alone or by one branch of government alone. Rather, the people wished a constructive opposition in the Congress to the overwhelming power of the re-elected Administration.

To be sure, not many in the Executive Branch read the election results in that fashion. The tendency at that time was to ridicule the capacity and inclination of the Congress to serve as a constructive counterfoil to the Presidency. Indeed, there was much despair even in the Congress over the competence of this body to function in the role of organized opposition. Extreme assertions were made by Administration spokesmen and permanent officials of the Executive Branch as to the reach of the mandate of the Presidency.

It seems to me, a more balanced and sober view of the role of the Congress is now beginning to prevail. Some contend that Watergate has had much to do with the change and I would not dispute the likelihood. However, the record of leadership which has been provided by this Conference and its Policy Committee will bear out that the change is deeper than Watergate. The fact is that this Conference has known where we had to go from the outset and we have organized the effort to get there by working closely together as a Majority in a relationship of comity with the Senate minority and in understanding with the House Leadership.

The two basic issues--Viet Nam and the budget--which faced us five months ago, face us still but in modified fashion. The signs of a righting balance both of responsibility and authority are beginning to appear as between the Executive and the Legislative Branches in questions of war and peace. A



cease-fire has been established in Viet Nam. The POW's from the Vietnamese war are back home. If we can end, now, any insidious tendencies to reinvolve this nation in Indochina by the back door of Cambodia and by Executive fiat, what we set on January 3d as a goal of this Conference will have been realized at last.

That goal would have been reached with the proclamation of a cease-fire in Viet Nam. /<sup>But</sup> I do not regard it as met because it embraced by implication not only the war in Viet Nam but the conflicts in Cambodia and Laos. So it is heartening to see Senators of both parties unified now, as never before, to stop this empty policy of violence in Cambodia--a pitiful country where we have neither national interest nor national commitment nor national purpose. It is heartening, too, to see the House of Representatives under the distinguished leadership of Speaker Albert reject the attempt of the Executive Branch to obtain oblique Congressional approval of its unilateral policy of bombing Cambodia by way of an appropriations measure.

In my judgment, the Congress now stands fast against the prolongation of the war anywhere in Indochina in any way, shape or form. The Administration is wholly on its own in this matter and it stands on the most dubious Constitutional grounds. I urge the President, therefore, most respectfully to read the signs in Congress for what they are--a reflection of national sentiment for a complete termination of our military role in Indochina. I urge the President, most respectfully, to act now to merge this clear and unmistakable intent as expressed through Congress into his policies for peace by ending all U. S. hostilities everywhere in Indochina forthwith.

I would also like to mention, too, in connection with the restoration of the balance between the branches, the War Powers bill which both the Senate and House passed last year but which did not clear the House-Senate conference. This measure is of particular importance and has already been ordered reported out of Committee. It is my intention to bring the issue up at the next regular House-Senate leadership meeting in the hope that we may enact legislation which will more clearly define, in questions of military action, the reciprocal powers of the Congress and the President. Again, I would urge the President to work in concert with the Congress, recognizing with us that the engagement of the Armed Forces of the United States inevitably becomes a matter of such gravity as to compel the joint judgment of an elected President and an elected Congress if it is to have a durable underpinning of national support.

The other great issue which faced us on January 3d concerned the control of expenditures by the Federal government. At the outset, the Congress was made the butt of catch phrases, humorous anecdotes and one-liners ridiculing the inclination, not to speak of the capacity, of Congress to come to grips with government expenditures. Congress was portrayed to one and all by the techniques of the ad man as a bunch of irresponsible spenders. To underscore the point, the Administration even went to the length of putting together a propaganda kit of speech materials on how to ridicule Congress--at government expense to be sure. Due to the efforts of Senators Humphrey and Muskie, distribution and use of this political propaganda was ruled illegal and a lawsuit is now pending to stop its use.

The Administration also proposed a ceiling of \$268 billion on federal spending, charging Congress with the inability to do so. The Senate, however, has already twice voted for a ceiling no higher than or less than that suggested by the Administration for fiscal year 1974.

The Joint Study Committee on Budget Control has now issued its report recommending procedures for budget control in future years. For the current year, the Chairman of the Appropriations Committee (Senator McClellan) with the full support of the leadership has developed a formula which will, again, as in the past bring about substantial cuts in the level of expenditures proposed by the Executive Branch and total appropriations will be less than the ceiling proposed by the President.

The formula takes into consideration a leadership resolution adopted almost unanimously by this Conference. The resolution, it will be recalled, called for a reduction of extrinsic and excessive military expenditures abroad as a means of reducing federal outlays. In that fashion, the budget can be balanced, even as substantial sums will be made available for urgent domestic needs--needs which the Administration has consistently ignored. In my judgment, this approach is not only "well-meaning," as it has been called, but it is absolutely essential. Unless we strengthen confidence in our currency abroad and unless we strengthen the social and economic infrastructure of the nation, our military strength will rest on a hill of crumbling sand. No matter how many American soldiers are posted abroad, no matter how many bases are manned, rather our "negotiating position" nor our national security will be enhanced one iota. Those who wish us well and those who wish us ill, know it. It is about time we realized this simple reality ourselves.

Another aspect of the budget question involves the impoundment by the Executive Branch of funds for a great many programs. The courts have already ruled against the withholding of \$6 billion for environmental facilities by the Executive Branch. As a result other impoundments appear to be on very shaky legal grounds. Once again, most respectfully, I would urge the Administration to desist from its demands for overwhelming power and join with the Congress in the search for a balance between the Branches. The Senate has passed the <sup>of</sup> ~~impoundment~~ <sup>impoundment</sup> bill which sets guidelines limiting ~~use~~ <sup>use</sup> in the future. It is



to be hoped that this legislation will become law soon, not over a veto, but by signature of the President.

Of special importance--electoral reform was cited in January for action in the January 3d statement of goals of the Majority Conference. This matter, as it relates to public campaign financing, was discussed at some length at our last meeting at which a resolution offered by Senator Abourezk and enlarged in Conference was adopted. In accepting that resolution, the Conference went on record as favoring legislation embodying the concept of public financing for campaigns and an end to the corrupting influence of large private contributions. It is noteworthy that a few days later, the Administration proposed a 17-member bipartisan election reform commission to study campaign reform. That is all to the good but I would hope that the regular committees of jurisdiction in the Congress would proceed in their own fashion to consider, thoroughly, proposals in regard to ceilings on contributions and public financing. Our objective must be to encourage broad popular participation in the political process even as we move to shut off the channels of insidious influence.

With regard to the other legislation which was given priority by the Conference at the outset of the session, the Senate has re-passed all but one of the major bills contained in the first category--the twelve measures which the President pocket vetoed last year. The second category of priority included bills passed in the Senate or House but which failed to get completely through the Congress. Of these, we have passed the anti-aircraft hijacking bill, federal aid, highway act, victims of crime act, and the health maintenance organizations bill. It is my understanding that committee action is complete or nearing completion on several more of these measures from the last Congress. Those already reported out of committee or soon to be reported out include pension reform, consumer products warranties, land use planning, war powers, and strip mining controls bills. I want to thank the Committee Chairmen for their cooperation in expediting the clearance of this legislation. The Chairmen have done a great deal to move the program as set forth by the Majority Conference at the beginning of the session.

Before closing, I would note that of the 20 goals established by the January 3d statement, we have acted formally and specifically by resolution of this Conference on all but three. Two of these three deal with reorganizing or cutting down the size of the federal bureaucracy. At this point, there appears to be an almost daily winnowing at the top in several agencies without any direct help from the Congress. There is still a need, however, to develop a constructive policy which will bring about substantial reductions of excessive personnel in many agencies not by ruthless mass firings or politically motivated dismissals but by sensible consolidations which can be brought about with maximum consideration of individuals by enlightened orderly programs of reassignment, and enlightened policies of retirement, along with restrained new hirings.

I submit at this point a list of the formal resolutions which have been adopted by the Conference and Policy Committee and another on the objectives of the Democratic Conference as adopted on January 3 for inclusion in the record.

During the next few months, it is apparent that Congress will be operating in an atmosphere supercharged with the shocking revelations of the Watergate affair. However, the regular business of the Senate will continue in legislative committees and on the floor of the Senate. That business cannot and will not be neglected. The stability of the nation requires our continuing attention to routine and ordinary matters, now, perhaps, more than ever.

I want to say that I have never felt greater personal fulfillment in the work of the Senate and the Senate Majority than I do at this critical time. The demeanor of the Senate and the sober restraint of the Majority reflect great credit on the institution and on this Conference and the character of the membership of both. It seems to me the circumstances have demanded a special degree of steadfastness, restraint and dedication from the Senate and Senators of both parties

are delivering it. We owe that comportment to the people of the nation. They are counting on us. We must do what it is possible for the Senate to do to renew public confidence in the federal government. We cannot and we will not fail.